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Claims 15, 16, and 19 (later treated renumbered as 35, 36, and 39?) were finally objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Reconsideration is requested. Each of the claims further limits the subject matter of a previous claim. Claim 15 further limits the "thin, wide body" of claim 14 by requiring the addition of "a tow hook secured to the pointed central forward portion". Claim 16 further limits the "thin, wide body" of claim 14 by requiring the addition of "fins that extend longitudinally on its underside". Claim 19 further limits the "rider recreational product" of claim 18 by requiring the addition of "a tow hook secured to the front end of the first section".

Claims 21-42 were finally rejected under 35 USC112, 1<sup>st</sup> paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, the Examiner alleging that "it is not described in the specification on how a first section is usable as a wakeboard. It is not described in the specification how the board comprising a thin and flat portion, a wider rear end and thin fins are usable as a fuselage or tail section. It is not described in the specification on how a somewhat pointed central forward portion, a wide rearward portion, and central rearward portion useable as a wing of a waterborne and airborne vehicle. It is not described in the specification on how a first section is independently usable as a wakeboard." Reconsideration is requested and allowance is deemed in order as the issues have been rendered moot by the filing of this continuation-in-part application, and the amendments herein making even more clear the subject matter being disclosed claimed.

The Examiner has apparently renumbered applicant's claims 1-22 as claims 21-42, respectively. Applicant has renumbered his claims accordingly.

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Claims 21-42 were finally rejected under 35 USC 112, 2<sup>nd</sup> paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claim 21, the Examiner queried what is meant by "usable as a wakeboard and usable as a surfboard or ski". The word "wakeboard" has been replaced by the phrase "rideable element", rendering the issue moot though the wing is now specifically indicated as usable as a wakeboard. Applicant means that the "skimming on water and flying through the air" product "first section" must be independently usable as a rideable element, and a second section must be independently usable as a surfboard or ski. No one has invented such a combination before.

With respect to claim 21, the Examiner stated "there is lack of antecedent basis for the limitations 'the wing', 'the fuselage', and 'the section'". Applicant has amended claim 21 to specify that a product "having a wing and a fuselage or tail section". Applicant apologizes for the omission.

With respect to claim 22, the Examiner was unsure as to what is meant by "control elements". By "control elements", applicant meant elements such as the hand and foot straps 20. See lines 16 and 17 of the substitute specification.

With respect to claim 24, the Examiner was unsure as to what is meant by "on its underside". By "on its underside", applicant means surfaces such as his wing lower surface 28 which is in the water when being towed by a boat. See lines 10-19 on page 8 of the substitute specification.

With respect to claim 28, the Examiner was unsure of the scope of the claim when the claim refers to "a board usable as a fuselage or tail section of a recreational" product. Applicant intends the claim to cover an article usable as a fuselage or tail section of a recreational product, also having the characteristics recited after the word "comprising". The Examiner also was unsure as to what is meant by "wider rear end". Applicant means that the back or hind part of the elongated portion is wider than the rest of it. The Examiner also was unsure "if the thin fins or the wider-rear-end surface that are

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upwardly when the board is attached to the product". Applicant has further amended the claim by inserting "and" after "surface" in line 5 to make very clear that the identified phrase further limits "thin fins".

With respect to claim 33, the Examiner was unsure as to what is meant by "inflatable bladder". Applicant meant to reference a bladder such as the "conventional inner bladder" of line 12, page 9, of the substitute specification. Bladders, by definition, are distensible sacs. The penultimate line, page 10 of the specification, addresses deflating it.

With respect to claim 34, the Examiner was unsure what is meant by "somewhat pointed central forward portion". Applicant meant wing portions like his "central front end 38". See line 20, page 8 of his substitute specification. To make the matter more clear, he has specifically amended claim 34 (and its dependent claim 35) so that "a somewhat pointed central forward portion" now reads "a central front end portion".

With respect to claim 37, the Examiner queried what is meant by "non-slick". Page 9, lines 13-16 identify the upper surface 50 of the fuselage as a non-slip surface, and that it bears rider control elements such as foot straps 52. The specification now more specifically sets forth what a non-slip surface means.

Claims 21-32(42?) were rejected, "as best understood", under 35 USC 102(b) as being anticipated by Brooke, the Examiner noting, regarding claims 1 and 18 (now claims 21 and 38), that "the 'wing' and the 'fuselage or tail section' are not positively claimed in the body of claim; therefore, the prior art need not show a 'wing', a 'fuselage section' or a 'tail section'". Applicant begs to differ with the Examiner. The claim calls for a product "comprising a first section constituting the wing of the product", and "a second section constituting the fuselage or tail section". "Comprising" means "including the following elements but not excluding others". *Moleculon vs. CBS*, 229 USPQ 805 (CAFC 1986). Applicant urges therefore that the "wing" and the "fuselage or tail section" are thus positively claimed in the body of